

**R E M A R K S**

Claims 1 - 23 are pending in the application, with claims 1-13 having been withdrawn from consideration. A final Office Action was mailed on November 4, 2004, to which a timely Response was mailed on March 31, 2005 together with a petition for a two-month extension of time. On April 15, 2005, an Advisory Action was mailed, indicating that the Response of March 31<sup>st</sup> would not be entered as it did not put the application in better form for Appeal. The Examiner found the arguments made in the Response of March 31 to be unpersuasive. The present Preliminary Amendment reintroduces amendments to the specification and revises arguments made in the Response of March 31. No new matter has been added.

**OBJECTION TO SPECIFICATION**

The specification is objected to in regard to informalities, and a request is made to update the application information presented at page 9, lines 3, 4 in regard to Japanese Patent Application 10-144913. Applicants amend the specification to address the informalities, and to indicate that Japanese Patent Application 10-144913 issued as Japanese Patent No. 3,480,313. Accordingly, Applicants respectfully request that the objection be withdrawn.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 13-23 are rejected under 35 U.S.C. § 103 as being unpatentable over Long et al. (US Patent 5,991,311) in view of Qureshi et al (US Patent 4,756,007). Applicants respectfully traverse these rejections.

In a Response mailed September 3, 2004, Applicants made the following arguments:

In independent claims 13, 18 and 22, Applicants respectively disclose a digital subscriber line transmission method, apparatus and system in a communication network for transmitting downstream data from a device on an office side to a device on a subscriber side and upstream data from the device on the subscriber side to the device on the office side over a single line by switching between these data transmissions in time-division fashion. The data is divided into individual symbols, the individual symbols are modulated by carrier waves of different frequencies and frequency-multiplexed, and the frequency-multiplexed signals are transmitted in bursts a few symbols at a time. In each of independent claims 13, 18 and 22, limitations are provided that relate to the transmission of timing information in a training symbol sequence. For example, in independent claim 13, a method is disclosed comprising the steps of: a) incorporating timing information, which specifies an interval in which effects of crosstalk from a neighboring line are received, in a training symbol sequence at time of training carried out prior to data communication, and b) transmitting the training symbol sequence in which the timing information is incorporated from the device in the office side to the device on the subscriber side.

Long discloses a method and apparatus for reducing crosstalk in a TDD-xDSL system (see, e.g., abstract of Long). The Examiner acknowledges that Long fails to disclose Applicants' claimed timing-information insertion means for inserting timing information, which specifies an interval in which effects of crosstalk from a neighboring line are received, into a training symbol sequence at time of training carried out prior to data communication, and transmitting unit for transmitting the training symbol sequence, into which the timing information has been inserted, from the device on the office side to the device on the subscriber side (see, e.g., Applicants' independent claim 18). The Examiner notes, however, that Long does disclose that timing information may be distributed by a master modem to other modems by undisclosed means (see, e.g., column 11, line 54 - column 12, line 15 of Long), and further suggests that Long may thereby be combined with Qureshi to teach the missing claim limitations.

Qureshi discloses an adaptive communication rate modem used for enabling communications at multiple rates that are selected based on channel quality (see, e.g., abstract of Qureshi). In the modem of Qureshi, a training sequence may be initiated by the modem at system initialization or after a communication rate change for setting demodulator phase and equalizer coefficients used for Viterbi decoding (see, e.g., column 4, lines 10 - 44 of Qureshi). However, Applicants respectfully submit that, in sharp contrast to Applicants' claimed invention, neither Long nor Qureshi specifically disclose or suggest Applicants' claimed incorporation of timing information as part of a training symbol sequence.

Moreover, Applicants further submit that insufficient motivation exists for combining the Long and Qureshi references. As previously noted, Qureshi fails to disclose or suggest that a training symbol sequence may be used for transmitting timing information relating to crosstalk from a neighboring line. While Long notes that one modem may provide timing information to another modem, Long suggests

that such information be provided periodically "during normal operation". Thus, Long teaches away from Applicants' claim limitation requiring that the timing information be sent "at a time of training carried out prior to data communication", and thereby also fails to motivate combination with Quereshi's training sequence provided at system initialization.

The Examiner finds these arguments to be unpersuasive. With respect to the argument that neither Long nor Quereshi specifically disclose or suggest Applicants' claimed incorporation of timing information as part of a training symbol sequence, the Examiner disagrees and states:

Applicant does not specify the form of the "training information." Therefore, Examiner is free to interpret the phrase as broadly as possible, as long as the interpretation is reasonable. Quereshi discloses including a phase change in the training signal, which allows the units to synchronize (col. 4, lines 34 - 40). As broadly defined, this phase changes, which permits synchronization, is timing information.

In the Response of March 31, Applicant argued that, in independent claims 13, 18 and 22, Applicant specifies that the transmitted timing information "specifies an interval in which effects of crosstalk from a neighboring line are received". In sharp contrast, the phase transition transmitted by Quereshi's modem is not directed to specifying a crosstalk interval, but rather to establish synchronization for identifying subsequent training sequences (see, e.g., column 4, lines 37-40).

As indicated in the Advisory Action of April 15, Examiner finds this argument to be unpersuasive, suggesting that Quereshi is cited only for the purpose of teaching that timing information of any sort may be transmitted in a training sequence, and that Long teaches Applicant's claimed limitation of transmitting timing information indicative a crosstalk interval.

In response, Applicant respectfully submits that, even in view of the Examiner's position, one skilled in that art would lack sufficient motivation to combine the teachings of Long and Quereshi in a manner that suggests Applicant's claimed invention.

In independent claims 13, 18 and 22, Applicant teaches a method, apparatus and system for digital subscriber line (DSL) transmission, in which timing information which specifies an interval in which effects of crosstalk from a neighboring line are received is transmitted in a training symbol sequence at time of training carried out prior to data communication from a device on an office side of the DSL communication to a device on the subscriber side of the communication. Applicant's invention employs this novel approach thus provides the cross-talk interval timing information as a part of training, eliminating a reliance on the timing of subsequent data transmissions from the office side for this information, for example, as provided via pilot tone transmissions (see, e.g., page 25, line 28 through page 26, line 17 of Applicant's specification, and compare with column 10, lines 52 and 53 of Long).

Although Qureshi teaches providing timing information in a training sequence for the purpose of establishing receiver synchronization for receipt of the training sequence (see, e.g., column 4, lines 10 - 40 of Qureshi), neither Long nor Qureshi, alone or on combination, teach or motivate the need to adopt Applicant's claimed approach for providing cross-talk interval information as part of a training sequence.

Accordingly, Applicants respectfully submit that independent claims 13, 18 and 22 are not made obvious by the cited references, and are in condition for allowance. As each of dependent claims 14 - 17, 19 - 21 and 23 depends from one of independent claims 13, 18 and 22.

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should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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